

**REMARKS**

The application has been reviewed in light of the final Office Action dated April 2, 2004.

Claims 1-18 are pending, with claims 1-11 being in independent form. By this Amendment, Applicant has amended claims 6, 7 and 10 to clarify the claimed invention, without narrowing the scope of the claimed invention. Claim 11 has also been amended to rewrite the claim in language similar to the other independent claims, and thereby clarify the claimed invention. Applicant respectfully submits that no new matter and no new issues are introduced by the claim amendments.

Claims 9 and 10 were objected to as appearing to be substantially identical.

By this Amendment, claim 10 has been amended to clarify the claimed invention, without narrowing the scope of the claimed invention.

Accordingly, withdrawal of the objection to claims 9 and 10 is respectfully requested.

Claims 6 and 7 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,812,279 to Fukushima et al. Claim 11 was rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,936,743 to Satoh. Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Satoh in view of Fukushima. Claims 3-5 and 8-10 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Satoh and Fukushima in view of U.S. Patent No. 6,476,935 to Fujino. Claim 12 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Satoh in view of Fukushima. Claims 13-18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Satoh in view of Fukushima and Fujino.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1-11 are patentable over the cited art, for at least the following reasons.

The present application relates to a facsimile monitoring system for monitoring a communication result of a facsimile device from an external terminal, such as a personal computer. The personal computer is provided with monitoring software for monitoring a state of a memory transmission file of the facsimile. The monitoring software is adapted to provide a user at the personal computer with prompt notice of a status of the memory transmission, by monitoring the state of the memory transmission file of the facsimile device, even if the facsimile file has not been transmitted or transmission has not completed (see application, page 15, lines 10-14) and therefore no report has yet been generated by the facsimile device. Further, the user, with information regarding the status of the memory transmission, can make changes to the transmission as needed.

The cited art does not disclose or suggest such a facsimile monitoring system.

Fukushima, as understood by Applicant, is directed to a conventional facsimile machine adapted with a feature for retrieving and displaying, on a display portion of the facsimile machine, information regarding a facsimile transmission already performed.

According to Fukushima, when prompted by an operator of the facsimile machine through an operation panel of the facsimile machine, a transmission checking routine allows the time when image data (already transmitted and stored in image memory) was transmitted and the number of pages transmitted to be displayed on the display portion. Fig. 5 of Fukushima shows exemplary content displayed on the display portion of the facsimile machine. Figs. 8a-8d, 9a-9f, 12-12b and 13 of Fukushima show portions of the transmission checking and transmission processing routines performed by the facsimile machine.

Applicant do not find disclosure or suggestion in Fukushima, however, that the facsimile machine can be connected to an external device and that the transmission information can be

monitored remotely and displayed at the external device.

Fukushima is not directed at monitoring a facsimile device from an external terminal connected with the facsimile device, and displaying at the external terminal information from a memory transmission file of the facsimile device.

Therefore, Fukushima simply does not disclose or suggest any of the independent claims of this application.

Satoh is directed to a system which includes a terminal connected to receive report data from a facsimile apparatus. The terminal may include an interface through which the user can select to view reports (such as transmission completion and error reports) which are generated in the normal course of operation by the facsimile apparatus.

As acknowledged in the Office Action, Satoh does not disclose, however, that the terminal has monitoring software for monitoring a state of a memory transmission file of the facsimile.

Satoh discloses that the reports normally generated by the facsimile apparatus can be retrieved by the terminal or automatically transmitted to the terminal after they are generated in the normal course of operation of the facsimile apparatus. Applicant finds no teaching or suggestion in Satoh, however, of means for monitoring from an external terminal the state of a memory transmission file of the facsimile device so that it can be determined remotely from the external terminal that, for example, the facsimile file has not been transmitted or transmission has not completed.

The Office Action states that Fukushima discloses memory transmission monitoring software.

Applicant notes again that the transmission checking and transmission processing routines

of Fukushima are performed by a facsimile machine. Fukushima is not concerned with, and does not suggest adapting its teachings for, monitoring the state of a memory transmission file of the facsimile device remotely from an external terminal, such that it can be determined remotely that, for example, the facsimile file has not been transmitted or transmission has not completed. Neither Fukushima nor Satoh teaches or suggests how to obtain this feature of the claimed invention. Therefore, even if the teachings of Fukushima and Satoh are combined, the combination would yield a facsimile system comprising a facsimile machine and a terminal, wherein the facsimile machine has transmission checking and processing routines, as taught by Fukushima.

Fujino, as understood by Applicant, is directed to a facsimile apparatus adapted with a feature for connecting a plurality of lines of data channels. Fujino was cited in the Office Action as disclosing allowing the operator to start and stop transmission which purportedly corresponds to begin and abort or delete a transmission and to enter the destination number or address, and detect busy lines.

However, Fujino, like Fukushima, is not concerned with monitoring the state of a memory transmission file of the facsimile device remotely from an external terminal.

Applicant simply does not find teaching or suggestion in the cited art of a facsimile device monitoring system for monitoring a communication result of a facsimile device from an external terminal, comprising a facsimile device and an external terminal connected with the facsimile device, with the external terminal being provided with monitoring software for monitoring a state of a memory transmission file of the facsimile device, as provided by the claimed invention.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1-11, and the claims depending therefrom, are patentable over the cited

references.


If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,

  
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